

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
Southern Division

AHMAD JEBRIL,
Petitioner,

v.

EICHENLAUB ET. AL.

Case #: 08-CV-10151

FILED
FEB 17 2009
U.S. DISTRICT COURT
BAY CITY, MICHIGAN
FILED

FEB 18 2009

OBJECTIONS TO MAGISTRATES REPORT

U.S. DISTRICT COURT
BAY CITY, MICHIGAN

I recieved the Magistrates report on 2/10/09 as stamped by our ISM depart--
ment even though it was mailed out on 2/2/09.

I REQUEST THAT ALL THAT I MENTIONED IN MY RESPONSE TO DEFENDANTS MOTION
TO DISMISS BE PART OF my response to the objections here. I would
like that along with its exhibits be an essential part of my response
here.

In addition to that I would like to add the following:

1. P. 5 The Magistrate refers to a statement by Defendants stating that
(even according to Plaintiff's own complaint, because Plaintiff violated
prison regulations by repeatedly attempting to organize and hold
unauthorized private religious meetings at Milan FCI).

That statement is a false lie! I never attempted to do that. What I
did was attempt to organize monitored classes and I submitted three
cop-outs for that purpose. IF I was doing something illegal would I
ask that they be monitored and ask staff for permission???

2. Being transferred in the manner that I was fulfills the three elements
mentioned on P. 6. (Thaddeus-X v. Blatter, 175 F3d 378,395(6th Cir).
Not only is the protected conduct the filing of grievances but also
practicing my religion.

Transfer to a higher security prison where one is marked as a terrorist
because of what Milan FCI wrote on my file; Being placed 2 security
levels above my rightful prison security level and being at a place
where I'm targetted and treated in a very hostile and vicious manner
due to what Milan staff(those named in my complaint) among other things
I endure is an adverse action .

As to the third element the connection is clear had I not filed
grievances and been a practicing Muslim requesting in a formal cop-out
to teach and hold religious services like other religions do I would of
never been transferred.

3. In addition to that I ALLEGE THAT MY TRANSFER WAS DISCRMINATORY
because had it not been that I was a practcing Muslim seeking
religious services I would not have been transferred. THAT IS
DISCRIMINATION!

Because that is discrimination based on my religion that is in violation of my constitutional rights.

HAD I NOT BEEN MUSLIM I WOULD NOT OF GOTTEN TRANSFERRED HOW MUCH more discrimination can that be?

The Warden and captain there told me that specifically.

4. In regards to placement in special housing unit, the difference between my stay in the SHU for 8 months and the case of Hawk-Sawyer that the magistrate relied upon is that I endured extreme and severe hardships and mental torture unlike the case the Magistrate relied upon! and it was because of my religious belief!

AGAIN PLEASE REFER TO MY RESPONSE TO DEFENDANTS MOTION TO DISMISS.

5. As to my claims of being targetted...etc again I do not think the magistrate even read my response to the DEFENDANTS MOTION TO DISMISS. In that response I stated SOME of the details of the continued torture that I CONSTANTLY ENDURED.

CHAPLAIN CURTIS DUMPED A WATER MOP BUCKET in my cell as I prayed which an assault!

I WAS DEPRIVED OF SHOWERS!

I WAS DEPRIVED OF MEALS!

I WAS DEPRIVED OF RECREATION TIME!

I WAS GIVEN A ROACH MANIFESTED CELL!

I WAS CONSTANTLY TAUNTED!

It was much more than threaten!

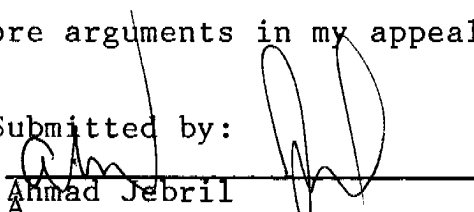
Dumping water on my cell as I prayed is an assault (and) an infringement on my right to pray. (my constitutional right).

6. AGAIN I WANT MY RESPONSE TO defendants motion to dismiss be a part of this response along with all its attachments and exhibits.

7. I do not have the ability to research any of the cases in the Magistrate's report or look up new ones which reflects on the arguments I responded to, therefore I reserve the right to add more arguments in my appeal to the circuit court since the reason is my prison does not have an adequate library.

I also reserve the right to make more arguments in my appeal to the circuit court.

Submitted by:


Ahmad Jebril

I certify that this motion was served by mail on 2/12/09 by 1st class mail:
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Ahmad Jebril #31943039